THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.26632 of 2005

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Dated 20-04-2006

Between:

G.Trinadham.

..... PETITIONER

AND

A.P.Social Welfare Residential Educational Institutions Society rep. by this Secretary & others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.26632 of 2005

O R D E R:

Questioning the action of the first respondent in appointing the third respondent as incharge principal though the third respondent is junior to the petitioner, the present writ petition is filed.

While Sri Sai Gangadhar Chamarty, learned counsel for the petitioner, would submit that the incharge arrangement can be made only on the basis of seniority, Sri Vijaya Bhaskar Moola, learned standing counsel for the first respondent, would submit that there is no such requirement under the rules.

On a query as to how long this arrangement would continue and as to why the posts were not filled up on regular basis,

Sri Vijaya Bhaskar Moola, learned standing counsel for the first respondent, would place before this Court a copy of the proceedings issued by the first respondent informing that the seniority lists of junior lecturers and post graduate teachers are under finalisation, and that the promotion to the post of principal would be taken up in the month of June, 2006 probably. Since the first respondent has now communicated that the post of principal would be filled up on regular basis shortly, and since the incharge arrangement will continue only till the post of principal on regular basis is filled up, I see no reason to exercise my discretion under Article 226 of the Constitution of India and to interfere with the incharge arrangement which has been, in effect, for the past several years more so since the said arrangement is to be discontinued shortly and the post of principal would be filled up on regular basis.

The writ petition is disposed of accordingly. No order as to costs.

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20-04-2006

usd